

1 **WAGANAKISING ODAWAK STATUTE _____**

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3 **ESTABLISHMENT AND STRUCTURE OF EXECUTIVE**
4 **DEPARTMENTS AND LEGISLATIVE OFFICES**

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7 **SECTION I. PURPOSE**

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9 This Statute is hereby enacted to establish the Little Traverse Bay Bands of Odawa Indians
10 Executive Departments and Legislative Governmental Offices to provide for most efficient
11 operations and responsive accountability to Tribal Citizens.
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14 **SECTION II. DEFINITIONS**

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16 **A.** “Chairperson” means the elected person within the Executive Branch.
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18 **B.** “Constitution” means the Little Traverse Bay Bands of Odawa Indians Tribal
19 Constitution adopted February 2, 2005.
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21 **C.** “Tribe” means the Little Traverse Bay Bands of Odawa Indians.
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23 **D.** “Tribal Council” means the elected body of nine-Tribal Council members within the
24 Legislative Branch.
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27 **SECTION III. REPEAL OF STATUTES**

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29 Any section, subsection, paragraph, sentence, phrase or portion of a previous Statute, Resolution,
30 Law or approved Regulation that is in conflict with this Statute or the intent of this Statute is
31 hereby repealed.
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33 **SECTIONS IV. CONSTITUTIONAL POWERS AND DUTIES**

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35 **A.** Pursuant to Article VII (D) (22) of the Tribal Constitution, the Tribal Council shall have

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to Legislative Calendar

1 the power to: “Approve the creation or dissolution of Executive divisions or departments to
2 promote and protect the peace, health, safety, education, and general welfare, including but not
3 limited to cultural and natural resources, of the Little Traverse Bay Bands of Odawa Indians and
4 its members”.

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6 **B.** Pursuant to Article VII (D) (17) of the Tribal Constitution, the Tribal Council shall have
7 the power to: “Establish and maintain the governmental office for the Little Traverse Bay Bands
8 of Odawa Indians.

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10 **C.** Pursuant to Article VIII (C) (5) of the Tribal Constitution, the Chairperson shall have the
11 following power and duty: “to oversee all Tribal Executive departments, boards, commission
12 and committees created by the Tribal Council.

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15 **SECTION V. ESTABLISHING OF EXECUTIVE DIVISION AND**
16 **DEPARTMENTS**

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18 **A.** The following departments are hereby established and created as Executive Departments
19 in accordance with the Constitution:

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21 1. Tribal Police Department
22 2. Health Department including Substance Abuse and Mental Health programs
23 3. Safety Department, including zoning, building and health inspections
24 4. Education and Cultural Learning Department
25 5. Human Services Department including Elder programs, Youth programs, Social
26 Services programs
27 6. Natural Resources and Environment Department
28 7. Department of Commerce
29 8. Enrollment Department
30 9. Housing Department
31 10. Human Resources
32 11. Regulatory Department
33 12. Accounting/Contracts/Grants Department
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35 **B.** The Executive Department shall begin operations with current staff as appropriate.

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2 **C.** The current appropriations for the Executive Departments shall be used to implement this
3 statute and the Executive shall present Tribal Council with future annual budgets necessary to
4 implement this statute.

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6 **D.** The Tribal Chairperson shall oversee the Executive Divisions or Departments.
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9 **SECTION VI. ESTABLISHING OF GOVERNMENTAL OFFICES**
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11 **A.** The following governmental offices are hereby established and created as Legislative
12 Governmental Offices in accordance with the Constitution:
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- 14 1. Accounting Controller
 - 15 2. Communications
 - 16 3. Geographic Information Systems
 - 17 4. Management Information Systems
 - 18 5. Planning
 - 19 6. Legal
 - 20 7. Odawa Enterprise Management
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22 **B.** The Legislative Governmental Offices shall begin operations with current staff as
23 appropriate.
24

25 **C.** Any funds previously allocated to the previous Executive Departments shall be used to
26 implement this statute and the Legislative shall present Tribal Council with future annual
27 budgets necessary to implement this statute.
28

29 **D.** The Tribal Council shall oversee the Legislative Governmental Offices.
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32 **SECTION VII. REPORTING**
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34 **A.** In accordance with the Constitution, the Chairperson shall submit a monthly written
35 report of his or her oversight responsibilities for the Executive Departments to Tribal Council.

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2 **B.** Each of the Legislative Governmental Offices shall submit a monthly written report to
3 Tribal Council.
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5 **SECTION VII. SEVERABILITY**
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7 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any
8 reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall
9 be deemed a separate, distinct and independent provision and such holding shall not affect the
10 validity of the remaining portions thereof.
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12 **SECTION VIII. EFFECTIVE DATE**
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14 Effective upon signature of the Executive or 30 days from Tribal Council approval which ever
15 comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the
16 veto.
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CERTIFICATION